

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I declare:
 that I verily believe myself to be the original, first and sole (if only one individual inventor is listed below) or an original, first and joint inventor (if more than one individual inventor is listed below) of the invention in

DISK APPARATUS AND METHOD OF GENERATING A TRACKING ERROR SIGNAL

the specification of which is attached hereto unless the following box is checked.

was filed on _____ as United States Application
 or PCT International Application No. _____, and
 was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 35 U.S.C. 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

| <u>Country</u> | <u>Category</u> | <u>Application No.</u> | <u>Filing Date</u> | <u>Priority Claim</u> |
|----------------|-----------------|------------------------|--------------------|-----------------------|
| Japan | Patent | 2002-351430 | December 3, 2002 | Yes |

I hereby appoint the registrants as Customer Number 00909 of Pillsbury Winthrop LLP, telephone number (703-905-2000) ; 1600 Tysons Boulevard, McLean, Virginia 22102, or any one of them (see below label); my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm and to add new persons of their firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to be represented unless/until I instruct the above firm and/or an attorney of that firm in writing to the contrary.



00909

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DECLARATION FOR PATENT APPLICATION

I declare further that my mailing address is at c/o Intellectual Property Division, Toshiba Corporation, 1-1, Shibaura 1-chome, Minato-ku, Tokyo 105-8001, Japan; and that my citizenship and residence are as stated below next to my name:

Inventor: (Signature)

Date

Residence

Nov 14 2003 T.N.

Date: # November 14, 2003

Takeshi Nakano

Takeshi Nakano

Citizen of: Japan

Hamura-shi, Japan

Hiroshi Nakane

Hiroshi Nakane

Date: November 14, 2003

Citizen of: Japan

Fukaya-shi, Japan

Date:

Citizen of: Japan